OIPE JAP21
SEP 05 2007
PATENT & TRADEMARK OFFICE

09-06-07

IFW

PTO/SB/21 (04-07)
Approved for use through 09/30/2007. OMB 0651-0031
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# TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

| | |
|---|---|
| Total Number of Pages in This Submission | 9 |

| | |
|---|---|
| Application Number | 10/680,988-Conf. #6477 |
| Filing Date | October 7, 2003 |
| First Named Inventor | Andrew R. MARKS |
| Art Unit | 1646 |
| Examiner Name | R. Li |
| Attorney Docket Number | 19240.593 US1 |

## ENCLOSURES (*Check all that apply*)

- [X] Fee Transmittal Form
- [ ] Fee Attached
- [x] Supplemental Amendment/Reply
- [ ] After Final
- [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
- [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
- [ ] Landscape Table on CD
- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- [ ] Proprietary Information
- [ ] Status Letter
- [x] Other Enclosure(s) (please Identify below):

Declaration under 37 C.F.R. § 1.131 (2 Pages)
Exhibit A (4 Pages)
Return Receipt Postcard

**Remarks**

Request for a three-month extension of time and the accompanying fee was paid with Reply and Amendment filed on August 27, 2007. No additional fee for extension of time is due with this submission.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|---|---|---|---|
| Firm Name | WILMER CUTLER PICKERING HALE AND DORR LLP | | |
| Signature | Jane M Love | | |
| Printed name | Jane M. Love, Ph.D. | | |
| Date | September 5, 2007 | Reg. No. | 42,812 |

Express Mail Label No. EM 087980198US Dated: September 5, 2007

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PTO/SB/17 (07-07)
Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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*Effective on 12/08/2004.*
*Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).*

# FEE TRANSMITTAL
## For FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** ($) 130.00

| *Complete if Known* | |
|---|---|
| Application Number | 10/680,988-Conf. #6477 |
| Filing Date | October 7, 2003 |
| First Named Inventor | Andrew R. MARKS |
| Examiner Name | R. Li |
| Art Unit | 1646 |
| Attorney Docket No. | 19240.593US1 |

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 08-0219 Deposit Account Name: Wilmer Cutler Pickering Hale and

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | |
|---|---|---|---|---|---|---|---|
| **Application Type** | **Fee ($)** | **Small Entity Fee ($)** | **Fee ($)** | **Small Entity Fee ($)** | **Fee ($)** | **Small Entity Fee ($)** | **Fees Paid ($)** |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

**2. EXCESS CLAIM FEES**

| **Fee Description** | **Fee ($)** | **Small Entity Fee ($)** |
|---|---|---|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| **Total Claims** | **Extra Claims** | **Fee ($)** | **Fee Paid ($)** |
|---|---|---|---|
| _____ - 20 = | _____ | x _____ | = _____ |

HP = highest number of total claims paid for, if greater than 20.

| **Multiple Dependent Claims** | |
|---|---|
| **Fee ($)** | **Fee Paid ($)** |
| _____ | _____ |

| **Indep. Claims** | **Extra Claims** | **Fee ($)** | **Fee Paid ($)** |
|---|---|---|---|
| _____ - 3 = | _____ | x _____ | = _____ |

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| **Total Sheets** | **Extra Sheets** | **Number of each additional 50 or fraction thereof** | **Fee ($)** | **Fee Paid ($)** |
|---|---|---|---|---|
| _____ - 100 = | _____ | /50 = _____ (round **up** to a whole number) x | _____ | = _____ |

**4. OTHER FEE(S)**

| | **Fees Paid ($)** |
|---|---|
| Fee under §1.17(i), to amend inventorship under §1.48(b), $130 fee | 130.00 |
| Other (e.g., late filing surcharge): _____ | _____ |

**SUBMITTED BY**

| | | | | | |
|---|---|---|---|---|---|
| Signature | Jane M Love | Registration No. (Attorney/Agent) | 42,812 | Telephone | (212) 937-7233 |
| Name (Print/Type) | Jane M. Love, Ph.D. | | | Date | September 5, 2007 |

Express Mail Label No. EM087980198US Dated: September 5, 2007

SEP 05 2007
PATENT & TRADEMARK OFFICE

Application No. (if known): 10/680,988 Attorney Docket No.: 19240.593US1

# Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EM087980198US in an envelope addressed to:

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 5, 2007
Date

Signature

Jane M. Love, Ph.D.
Typed or printed name of person signing Certificate

42,812
Registration Number, if applicable

(212) 937-7233
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Form (1 Page)
Fee Transmittal Form (1 Page)
Supplemental Amendment to the Response filed on August 27, 2007 (1 Page)
Declaration Under 37 C.F.R. § 1.131 (2 Pages)
Exhibit A (4 Pages)
Charge $130.00 to deposit account 08-0219
Return Receipt Postcard

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SEP 05 2007
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Express Mail Label No: EM 087980198 US
Attorney Dkt. No.: 19240-593 US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | |
|---|---|---|
| **U.S. Serial No.:** | **10/680,988** | **Confirmation No.: 6477** |
| **Applicant:** | **Marks, A. (as presently amended)** | |
| **Filed:** | **October 7, 2003** | |
| **Group Art Unit:** | **1646** | |
| **Examiner:** | **Ruixiang Li** | |
| **Title:** | **Compounds and Methods for Treating and Preventing Exercise-Induced Cardiac Arrhythmias** | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL AMENDMENT TO THE RESPONSE FILED ON AUGUST 27, 2007**

Sir:

Pursuant to 37 C.F.R. §1.48(b), please correct the inventorship of the above-referenced application by deleting Dr. Donald W. Landry, Dr. Shi Xian Deng, and Dr. Zhen Zhuang Cheng as inventors in the present application. Drs. Landry, Deng, and Cheng are not inventors of the invention being claimed in the above-referenced application. Please charge the processing fee set forth in 37 C.F.R. §1.17(i) or credit any overpayments to Deposit Account No. 08-0219.

This submission also contains a Declaration pursuant to 37 C.F.R. §1.131 signed by the inventor Dr. Andrew R. Marks.

Respectfully submitted,

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01 FC:1464 130.00 DA

Jane M. Love, Ph.D.
Reg. No. 42,812

Date: 9/5/07

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